

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 27TH APRIL 2007 / 7TH VAISAKHA 1929

Bail Appl..No. 2540 of 2007()

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AGAINST THE ORDER IN BA.6385/2006
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(C.P.NO.111 OF 2006 ON THE FILE OF JFCM-I KOTTARAKKARA)

(CRIME NO.24 OF 2005 OF EZHUKONE POLICE STATION)

PETITIONER/ACCUSED NO.1.

**PRADEEP, AGED 31, S/O. RATHANAKARAN,
THRIVEENI, KADAKKODE, KOTTARAKKARA.**

BY ADV. SRI.PREMCHAND R.NAIR

RESPONDENT: COMPLAINANT.

**STATE OF KERALA
REPRESENTED BY SUB INSPECTOR OF POLICE, EZHUKONE
POLICE STATION, REPRESENTED THORUGH PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.**

BY PUBLIC PROSECUTOR SRI. GIKKU JACOB

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 27/04/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

K.R. UDAYABHANU, J.

B.A.NO.2540 OF 2007.

DATED THIS THE 27th DAY OF APRIL, 2007.

ORDER

Petitioner who is the accused in CP.No.111 of 2006 on the file of the Judicial First Class Magistrate's Court, Kottarakkara with respect to the offences under Section 55(b) and 8(i) and (ii) of Abkari Act has sought for a direction to the court below that there may not be an order of pre-trial detention at the time of his appearance. It was submitted that he could not appear before the court as he is presently employed out of Kerala.

2. In the circumstances, the petitioner is directed to surrender before the court below within two weeks from today and file an application for bail. Non-bailable warrant is not to be executed in the meantime. Pre-trial detention is not required. The court below shall as far as possible dispose of the application for bail, to be filed on the date of appearance of the petitioner itself. The Bail Application is disposed of accordingly.

**K.R.UDAYABHANU.
JUDGE.**

kvs/-